

## **APPENDIX A.: DEFINITIONS**



The following definitions apply for purposes of the *CA Practices and Procedures Guide*.

**"AFTERCARE SERVICES"** means the provision of less intensive, ongoing services to youth and their families following the youth's discharge from residential care or in-home services.

**"AT-RISK YOUTH"** means a juvenile who:

- A. Is absent from home for at least 72 consecutive hours without consent of his or her parent.
- B. Is beyond the control of his or her parent such that the child's behavior endangers the health, safety, or welfare of the child or any other person.
- C. Has a substance abuse problem for which there are no pending criminal charges related to the substance abuse.

**RCW 13.32A.030**

**"BEHAVIORAL REHABILITATION SERVICES"**: See "After-Care Services," "Continuum of Care," "Group Care," "In-Home Services," "Residential Care," "Staffed Treatment Foster Care," and "Treatment Foster Care."

**"BORROWED FOSTER HOME"** means the placement and supervision by an agency of child(ren) in a foster family home licensed or certified by another agency, with the permission of that agency.

**"CASE PLAN"** means a written statement by the social worker of the anticipated activities, including service agreements, which are planned in the conduct of the case.

**"CERTIFICATION FOR ADOPTION"** means a person or persons constituting a household have submitted an application for adoption to the department or a child placing agency, have had a satisfactory home study completed, and have been determined suitable as adoptive parent or parents.

**"CHILD," "JUVENILE," and "YOUTH"** mean any unemancipated individual who is under the chronological age of 18 years.

**RCW 13.32A.030**

**"CHILD ABUSE AND NEGLECT"**

#### **CPS WAC Definitions of CA/N**

Child abuse or neglect means the injury, sexual abuse, sexual exploitation, negligent treatment, or maltreatment of a child under circumstances which indicate that the child's health, welfare, and safety is harmed. An abused child is a child who has been subjected to child abuse or neglect as defined in this section.

- A. Physical abuse means the non-accidental infliction of physical injury or physical mistreatment on a child. Physical abuse includes, but is not limited to, such actions as:
  - 1. Throwing, kicking, burning, or cutting a child;

2. Striking a child with a closed fist;
  3. Shaking a child under age three;
  4. Interfering with a child's breathing;
  5. Threatening a child with a deadly weapon;
  6. Doing any other act that is likely to cause and which does cause bodily harm greater than transient pain or minor temporary marks or which is injurious to the child's health, welfare and safety.
- B. Physical discipline of a child, including the reasonable use of corporal punishment, is not considered abuse when it is reasonable and moderate and is inflicted by a parent or guardian for the purposes of restraining or correcting the child.
1. The age, size, and condition of the child, and the location of any inflicted injury shall be considered in determining whether the bodily harm is reasonable or moderate.
  2. Other factors may include the developmental level of the child and the nature of the child's misconduct.
  3. A parent's belief that it is necessary to punish a child does not justify or permit the use of excessive, immoderate or unreasonable force against the child.
- C. Sexual abuse means committing or allowing to be committed any sexual offense against a child as defined in the criminal code.
1. The intentional touching, either directly or through the clothing, of the sexual or other intimate parts of a child or allowing, permitting, compelling, encouraging, aiding, or otherwise causing a child to engage in touching the sexual or other intimate parts of another for the purpose of gratifying the sexual desire of the person touching the child, the child, or a third party.
  2. A parent or guardian of a child, a person authorized by the parent or guardian to provide childcare for the child, or a person providing medically recognized services for the child, may touch a child in the sexual or other intimate parts for the purposes of providing hygiene, child care, and medical treatment or diagnosis.
- D. Sexual exploitation includes, but is not limited to, such actions as allowing, permitting, compelling, encouraging, aiding, or otherwise causing a child to engage in:
1. Prostitution;
  2. Sexually explicit, obscene or pornographic activity to be photographed, filmed, or electronically reproduced or transmitted; or
  3. Sexually explicit, obscene or pornographic activity as part of a live performance, or for the benefit or sexual gratification of another person.
- E. Negligent treatment or maltreatment means an act or a failure to act on the part of a child's parent, legal custodian, guardian, or caregiver that shows a serious

disregard of the consequences to the child of such magnitude that it creates a clear and present danger to the child's health, welfare, and safety. A child does not have to suffer actual damage or physical or emotional harm to be in circumstances which create a clear and present danger to the child's health, welfare, and safety. Negligent treatment or maltreatment includes, but is not limited, to:

1. Failure to provide adequate food, shelter, clothing, supervision, or health care necessary for a child's health, welfare, and safety. Poverty and/or homelessness do not constitute negligent treatment or maltreatment in and of themselves;
2. Actions, failures to act, or omissions that result in injury to or which create a substantial risk of injury to the physical, emotional, and/or cognitive development of a child; or
3. The cumulative effects of consistent inaction or behavior by a parent or guardian in providing for the physical, emotional and developmental needs of a child's, or the effects of chronic failure on the part of a parent or guardian to perform basic parental functions, obligations, and duties, when the result is to cause injury or create a substantial risk of injury to the physical, emotional, and/or cognitive development of a child.

F. A Parent or guardian abandons a child when the parent or guardian is responsible for the care, education, or support of a child and:

1. Deserts the child in any manner whatever with the intent to abandon the child;
2. Leaves a child without the means or ability to obtain one or more of the basic necessities of life such as food, water, shelter, clothing, hygiene, and medically necessary health care; or
3. Forgoes for an extended period of time parental rights, functions, duties and obligations despite an ability to exercise such rights, duties, and obligations.

G. Abandonment of a child by a parent may be established by conduct on the part of a parent or guardian that demonstrates a substantial lack of regard for the rights, duties, and obligations of the parent or guardian or for the health, welfare, and safety of the child. Criminal activity or incarceration of a parent or guardian does not constitute abandonment in and of themselves, but a pattern of criminal activity or repeated or long-term incarceration may constitute abandonment of a child.

**"CHILD IN NEED OF SERVICES"** (CHINS) means a juvenile who:

- A. Is beyond the control of his or her parent such that the child's behavior endangers the health, safety, or welfare of the child or other person.
- B. Has been reported to law enforcement as absent without consent for at least 24 consecutive hours from the parent's home, a crisis residential center, an out-of-home placement, or a court-ordered placement on two or more separate occasions and has exhibited:
  1. A serious substance abuse problem or

2. Behaviors that create a serious risk of harm to the health, safety, and welfare of the child or any other person.
- C. Is in need of necessary services, including food, shelter, health care, clothing, educational, or services designed to maintain or reunite the family, and
1. Who lacks access, or has declined, to utilize these services.
  2. Whose parents have evidenced continuing but unsuccessful efforts to maintain the family structure or are unable or unwilling to continue efforts to maintain the family structure.

**"CHILD IN NEED OF SERVICES (CHINS) PETITION"** means a petition filed in juvenile court by a parent, child, or the department seeking adjudication of placement of the child.

**RCW 13.32A.030**

**"CHILD PLACING AGENCY"** means an agency which places a child or children for temporary care, continued care, or for adoption.

**"COMPELLING REASON"** means, for purposes of the Adoption and Safe Families Act, a factor in case planning that presents an unusual circumstance that makes necessary a decision which would not normally be made for a child or family. "Compelling Reason" includes, but is not necessary limited to:

- A. Circumstances in which a child:
1. Is older and is opposed, following a discussion with the social worker of the alternatives, to adoption as a permanent plan;
  2. Has significant ties to the child's family which are positive and expected to be on-going and would be disrupted by termination of parental rights;
  3. Is in placement for reasons other than abuse, neglect, abandonment, or no parent able or willing to care for the child (e, g., children in care due to the risk they pose to others, due to behavioral management issues, etc.);
  4. Does not have a permanent placement resource identified and for whom there is significant risk that an adoptive resource will not be found; or
  5. Has other unique situations described in the ISSP by the social worker that constitute compelling reasons not to file a petition to terminate parental rights.
- B. The supervising agency is required to recruit, identify, and process a permanency placement resource for a child when a permanent plan other than reunification is identified for the child. In unusual circumstances, it may be appropriate to leave a child in a temporary placement setting until the court decision-making process is completed or in order to meet the treatment needs of the child.

**"COMMUNITY NETWORK"** means working relationships between DCFS, cultural consultants, key informants (lay/professional person), natural helpers (extended families, folk healers), and other agencies to develop cultural responsiveness.

**"CONTINUUM OF CARE"** means provision of care from in-home services to highly structured residential care and the ability to provide appropriate services to the child/family.

**"CULTURAL COMPETENCE"** means a set of behaviors and attitudes that enables individuals working with a child or family to learn about or recognize the cultural context of a situation and to integrate that knowledge into an action.

**"CULTURAL CONSULTANTS"** means culturally competent individuals recognized by the department and/or client as a resource to help assess and/or resolve problems relating to cultural issues.

**"CULTURAL DIVERSITY"** means the distinguishable differences in life styles, values, traditions, religions, etc.

**"CULTURALLY RESPONSIVE"** means a pattern of behaviors that incorporates and acknowledges the importance of cultures (competence), the assessment of cross-culture relations (literate), vigilance towards the dynamics that result from cultural difference (effective), the expansion of cultural knowledge and the adaptation of services to meet culturally unique needs (relevant).

**"CULTURE"** means the integrated pattern of human behavior including thought, communication, actions, customs, beliefs, values, institutions, of a racial, ethnic, religious or social group.

**"CUSTODIAN"** means the person or entity who has the legal right to the custody of the child.

**RCW 13.32A.030**

**"DEVELOPMENTAL STAGES"** means:

- A. Adolescent - a child age 12 but less than 18 years.
- B. Child - a born person less than 18 years.
- C. Fetus - the unborn child.
- D. Infant - a child from birth until one year of age.
- E. Toddler - a child age one but less than six years.

**"ETHNIC"** means a group designated by customs, characteristics, language, common history and/or racial affiliation.

**"ETHNOGRAPHIC INTERVIEWING"** means communication with a member of another culture to identify the:

- 1. Key cultural differences.
- 2. Meaning of those cultural practices and norms.

**"EXTENDED FAMILY MEMBER"** means an adult who is a grandparent, brother, sister, stepbrother, stepsister, uncle, aunt, or first cousin with whom the child has a relationship and is comfortable and who is willing and available to care for the child.

**RCW 13.32A.030**

**"FAMILY PRESERVATION SERVICES"** means in-home or community-based services drawing on the strengths of the family and its individual members while addressing family needs to strengthen and keep the family together where possible and may include:

- A. Respite care of children to provide temporary relief for parents and other care givers.
- B. Services designed to improve parenting skills with respect to such matters as child development, family budgeting, coping with stress, health, safety, and nutrition.
- C. Services designed to promote the well-being of children and families, increase the strength and stability of families, increase parents' confidence and competence in their parenting abilities, promote a safe, stable, and supportive family environment for children, and otherwise enhance children's development.

**RCW 74.14C.010**

**"FOSTER CARE"** means placement of a child by the department or a licensed child placing agency in a home or facility licensed pursuant to chapter 74.15 RCW or in a home or facility that is not required to be licensed pursuant to chapter 74.15 RCW.

**"FOSTER CARE PASSPORT PROGRAM"** or FCPP means a program that records health and education information in a computer database, and provides a concise summary of the information – the "Passport" – to be shared with foster parents and social workers. It is an interdisciplinary program that combines the expertise of the local public health jurisdictions with child welfare.

**"FOSTER FAMILY CARE"** means care and supervision provided on a 24-hour basis for up to six children in the licensed family abode of the person or persons under whose direct care and supervision the child is placed.

**"GROUP CARE"** means the provision of a safe, healthful environment for youth in a 24-hour licensed facility for more than six children, which provides the basic needs of food, shelter, and the provision of therapeutic services required for the successful reunification of youth with their family resource.

**"GUARDIAN"** means that person or agency that (a) has been appointed as the guardian of a child in a legal proceeding other than a proceeding under chapter 13.34 RCW, and (b) has the right to legal custody of the child pursuant to such appointment. The term "guardian" does not include a "dependency guardian" appointed pursuant to a proceeding under Chapter 13.34 RCW.

**RCW 13.32A.030; 13.34.030**

**"HEALTH & EDUCATION RECORD"** means the entire array of data entry screens in the CAMIS Passport module, including the provider, education, behavior, counseling, and daily routine information entered by the social worker and the health information entered by staff of the Foster Care Passport Program.



**"HEALTH RECOMMENDATIONS LETTER"** means a child-specific letter, to the child's foster parent, and a memo, to the child's social worker, written by the Public Health Nurse (PHN) upon completion of a child's Passport. The Health Recommendations Letter provides a means for the PHN to place all the child's health related issues in context with each other and to document recommendations for follow up care. The PHN produces a new Health Recommendations Letter at each update of a child's Passport.

**"IMMINENT RISK"** means, for Intensive Family Preservation Services, when a decision has been made by the department that without intensive family preservation services, a petition requesting the removal of a child from the family home will be immediately filed under chapters 13.13A or 13.34 RCW, or that a voluntary placement agreement will be immediately initiated.

**74.14C.010 RCW**

**"INDIAN CHILD"** means any unmarried person under the age of 18 who is:

- A. A member of or eligible for membership in a federal recognized Indian Tribe, or who is Eskimo, Aleut, or other Alaska Native, or a member of an Alaskan Native regional corporation or Alaska Native Village;
- B. Determined or eligible to be found to be Indian by the Secretary of the Interior, including through issuance of a certificate of Degree of Indian Blood or by the Indian Health Service;
- C. Considered to be Indian by a federally recognized or non-federally recognized Indian Tribe or off-reservation Indian/Alaska Native community organization; or
- D. A member or entitled to be a member of a Canadian Tribe or Band, Metis community, or non-status Indian community from Canada.

**"IN-HOME SERVICES"** means services provided in the child's home in lieu of out-of-home placement equivalent to the level of service intensity required to maintain the child in residential care.

**"INTENSIVE FAMILY PRESERVATION SERVICES"** means community-based services that are delivered primarily in the home, that follow intensive service models with demonstrated effectiveness in reducing or avoiding the need for unnecessary imminent out-of-home placement.

**RCW 74.14C.010**

**LEGALLY FREE**-A child is legally free for adoption if the child has no legal parent, either because the parent has died or because parental rights have been terminated (through relinquishment or involuntary termination) by a court order.

**MISSING CHILD IS:** (1.) Under the age of eighteen (18), and (2.) Does not meet the "at-risk" criteria as specified under "at-risk missing child".

**AT-RISK MISSING CHILD IS:**

- 1. 13 years of age or younger, or
- 2. believed to be:
  - a. out of the zone of safety for age and developmental stage
  - b. mentally incapacitated

- c. in a life threatening situation
- d. in the company of others who could endanger his/her welfare, or
- 3. Is absent under circumstances inconsistent with established patterns of behavior.

**RUNAWAY** is a juvenile who leaves and remains away from home without parental permission. (This definition is taken from "The Runaway and Homeless Youth Act".)

**THROWNAWAYS are:**

- 1. Children who are directly told to leave the household,
- 2. Have been away from home and are not allowed back by a caretaker,
- 3. Whose caretaker makes no effort to recover the child who has run away, or
- 4. Has been abandoned or deserted.

**"MEDICAL HISTORY"** means health information on the child contained in the child's case record, as required by the *CA Practices and Procedures Guide*, chapter 4000, section 43092, Health and Education Record.

**"MEDICAL NECESSITY FOR INPATIENT MENTAL HEALTH CARE"** means a requested service which is reasonably calculated to: (a) diagnose, correct, cure, or alleviate a mental disorder; or (b) prevent the worsening of mental conditions that endanger life or cause suffering and pain, or result in illness or infirmity or threaten to cause or aggravate a handicap, or cause physical deformity or malfunction, and there is no adequate less restrictive alternative available.

**RCW 71.34.020**

**"ORIGINAL PLACEMENT DATE"** or **"ORIGINAL FOSTER CARE PLACEMENT"**, for the purposes of the Social Security Act and federal regulations, means the date of the child's most recent removal from the child's home and placement into foster care under the care and responsibility of the state agency.

**45 CFR 1356.21(k)**

This definition applies both to children placed in foster care under a voluntary agreement and to those children under the state's responsibility through court order. Therefore, the original date of placement, for purposes of Title IV-E and section 422 of Title IV-B, would be when the child is in foster care and the state has been given responsibility for care either through a voluntary placement agreement or a court adjudication.

**PIQ 83-06**

**"OUT-OF-HOME PLACEMENT or CARE"** means a placement in a foster family home or group care facility or placement in a home, other than that of the child's parent, guardian, or legal custodian, not required to be licensed under 74.15 RCW.

**RCW 74.14C.010**

**"PARENT"** means the parent or parents who have the legal right to custody of the child. "Parent" includes custodian or guardian.

**RCW 13.32A.030**

**"PARENTING STATUS"** means:

- A. **Custodian** - a person appointed by the parent, guardian, or court to provide care for a child.

- B. **Guardian** - a person appointed by the court to provide care or to supervise a child.
- C. **Parent** - is the prime person responsible for the care of a child and may include:
1. **Adoptive parent** - a person the courts grant parental status, rights, and privileges for a child.
  2. **Birth or natural parents** - the persons, male and female, who conceived and gave birth to the child.
  3. **Custodial parent** - the parent with whom the child resides:
    - a. **Legal** - a current court order designating a parent's right to the child's custody that may include:
      - i. Joint custody.
      - ii. Parenting plans.
      - iii. Shared custody.
      - iv. Sole custody to one parent.
    - b. **Physical** - the parent(s) with whom the child resides or is found.
- D. **Stepparent** - a person, not the child's parent, who is currently married to the child's parent.
- E. **Caretaker** - a person who has actual physical supervision responsibility for a child and may include any of the above parenting statuses or a person appointed to provide physical custody.

**"PASSPORT"** means the concise, printed, child-specific health and education summary information that is provided to the child's caregiver. A "Passport" consists of 2 main parts: 1) the printed summary; and 2) the Health Recommendations Letter.

**"PLACEMENT DECISION"** means the decision to place, or to delay or deny the placement of, a child in a foster care or an adoptive home, and includes the decision of the agency or entity involved to seek the termination of birth parent rights or otherwise make a child legally available for adoptive placement.

**42 USC 5115a**

**"PRESERVATION SERVICES"** means family preservation services and intensive family preservation services that consider the individual family's cultural values and needs.

**RCW 74.14C.010**

**"PREVENTIVE SERVICES"** means preservation services, as defined in 74.14C RCW, and other reasonably available services capable of preventing the need for out-of-home placement while protecting the child.

**RCW 13.34.030**

**"PRN"** stands for *pro re nata* and means "As needed."

**"PROBATIONARY LICENSE"** means a license issued as a disciplinary measure to an agency that has previously been issued a full license but is out of compliance with licensing standards.

**RCW 74.15.020**

**"PSYCHOTROPIC MEDICATION"** means medication, the prescribed intent of which is to affect or alter thought processes, mood, sleep, or behavior, including, but not limited to, anti-psychotic, antidepressant, and anxiolytic medications. The classification of a medication depends on its stated, intended effect when prescribed because it may have many different effects. Examples of some such medications are:

Amitriptyline/Elavil	Desipramine/Norpramine
Amoxapine/Asenden	Imipramine/Tofranil
Trimipramine/Surmontil	Fluoxetine/Prozac
Sertraline/Zoloft	Phenelzine/Nardil
Isocarboxazid/Marplan	Burpropion/Wellbutrin
Carbamazepine/Tegretol	Lithium/Eskalith or Lithobid
Chlordiazepoxide/Librium	Diazepam/Valium
Lorazepam/Ativan	Propranolol/Inderal
Chlorpromazine/Thorazine	Haloperidol/Haldol
Trifluoperazine/Stelazine	Thioridazine/Mellaril
Methylphenidate/Ritalin	Pemoline/Cylert
Amphetamine Sulfate/Amphetamine	

**"RESIDENTIAL CARE"** is a generic term for group care, residential treatment, and treatment foster care.

**"RESIDENTIAL TREATMENT SERVICES"**: See "After-Care Services," "Continuum of Care," "Group Care," "In-Home Services," "Residential Care," "Staffed Treatment Foster Care," and "Treatment Foster Care."

**"SECURE FACILITY"** means a crisis residential center, or portion thereof, that has locking doors, locking windows, or a secured perimeter, designed and operated to prevent a child from leaving without permission of the facility staff.

**RCW 13.32A.030**

**"SERVICE AGREEMENT"** means a formal written description of services to be provided or performed. Agreements are developed by the social worker with the parent and/or the court and any child over age 13 who is to receive or participate in services.

**"STAFFED TREATMENT FOSTER CARE"** means a licensed treatment foster care where the foster parents are professional staff who are hired to provide 24-hour supervision to six or less children residing in a foster home-like setting.

**"TEMPORARY OUT-OF-HOME PLACEMENT"** means an out-of-home placement of not more than 14 days ordered by a court at a fact-finding hearing on a child in need of services (CHINS) petition.

**RCW 13.32A.030**

**"TREATMENT FOSTER CARE"** means a program designed for children, youth, and their families whose special needs are provided through services delivered primarily by treatment foster parents trained, supervised, and supported by agency staff. In addition to

the provision of a safe, healthful environment, foster parents are expected to be members of the treatment team and to perform tasks which are central to the treatment process in a manner consistent with the child's treatment plan.

**"UNEXPECTED DEATH OF A MINOR"** means a death not resulting from a diagnosed terminal illness or other debilitating or deteriorating illness or condition where death is anticipated.

**"UNFOUNDED"** means available information indicates that, more likely than not, child abuse or neglect did not occur.

**Chapter 26.44.020**

